

STATE OF ILLINOIS  
HUMAN RIGHTS COMMISSION  
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Meeting of Panel A  
August 25, 2010  
9:00 a.m.

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Illinois Department of Transportation  
1100 E. Port Plaza  
Room 101  
Collinsville, IL 62234

and

James R. Thompson Center  
Murdock Room - IDHS  
100 W. Randolph Street, Suite 5-300  
Chicago, Illinois 60601

MINUTES

Present: Commissioners

Marti Baricevic (Panel Chair)  
Robert S. Enriquez  
Gregory G. Simoncini (via telephone)

Staff

Harriet Parker (via telephone in her HRC office)  
Donyelle L. Gray  
Evelio Mora  
N. Keith Chambers  
Bricia Herrera  
Christopher Hoffmann (Student Extern)

**I. Call to Order.**

A meeting of Human Rights Commission Panel A was called to order on August 25, 2010, at 9:10 a.m. by Panel Chair, Commissioner Baricevic.

Pursuant to the Illinois Open Meetings Act, 5 ILCS 120/1 et seq., it was determined that:

- 1) A quorum of the public body was present at the meeting.
- 2) Prior to the meeting, Commissioner Simoncini gave *notice (and good cause as defined by the Illinois Open Meetings Act)* to the General Counsel and

Secretary of the Public Body, Harriet Parker, that he would be unable to be physically present for the August 25, 2010, meeting.

- 3) The Commission voted to allow Commissioner Simoncini to participate via telephone. Motion made by Commissioner Enriquez, seconded by Commissioner Baricevic. Motion carried 2-0.

## **II. Consideration of Minutes.**

The minutes of the meeting of July 28, 2010, were approved as submitted by staff. Motion made by Commissioner Enriquez, seconded by Commissioner Simoncini. Motion carried 3-0.

## **III. Requests for Review**

### *A) Thomas F. Simpson v. O'Brien Steel Service*

ALS No.: 10-0036                      Charge No.: 2009SE2467

The Panel sustained the dismissal in the above-referenced matter for Lack of Jurisdiction. Motion made by Commissioner Enriquez, seconded by Commissioner Simoncini. Motion carried 3-0.

### *B) Constance Jefferson v. Chicago State University*

ALS No.: 10-0038                      Charge No.: 2009CA0743

The Panel sustained the dismissal in the above-referenced matter for Lack of Substantial Evidence. Motion made by Commissioner Enriquez, seconded by Commissioner Simoncini. Motion carried 3-0.

### *C) Beverly Ballard v. Chicago Park District*

ALS No.: 10-0040                      Charge No.: 2009CA0348

The Panel sustained the dismissal in the above-referenced matter pursuant to 775 ILCS 5/7A-102(G)(3), because the Department's time period for investigating the charge had expired. Motion made by Commissioner Simoncini, seconded by Commissioner Enriquez. Motion carried 3-0.

### *D) Robert Riddley v. North Avenue Fresh Market*

ALS No.: 10-0046                      Charge No.: 2009CP2442

The Panel sustained the Notice of Default for failure to file a verified response in the above-referenced matter. Motion made by Commissioner Simoncini, seconded by Commissioner Enriquez. Motion carried 3-0.

E) *Adolfo Molina v. Oldcastle Glass, Inc.*

ALS No.: 10-0045                      Charge No.: 2009CF2496

The Panel sustained the dismissal in the above-referenced matter for Lack of Substantial Evidence. Motion made by Commissioner Simoncini, seconded by Commissioner Enriquez. Motion carried 3-0.

**IV. Motions for Extension of Time**

A) *Anita Sinha v. Motorola, Incorporated*

ALS No.: 10-0448                      Charge No.: 2009CF1650

The Panel voted to grant the motion. Motion made by Commissioner Enriquez, seconded by Commissioner Simoncini. Motion carried 3-0.

B) *Anita Sinha v. Motorola, Incorporated*

ALS No.: 10-0449                      Charge No.: 2009CA1977

The Panel voted to grant the motion. Motion made by Commissioner Simoncini, seconded by Commissioner Enriquez. Motion carried 3-0.

C) *John D. Ballo v. Apria Healthcare*

ALS No.: 10-0480                      Charge No.: 8CN4113

The Panel voted to grant the motion. Motion made by Commissioner Simoncini, seconded by Commissioner Enriquez. Motion carried 3-0.

**V. Motion for Voluntary Withdrawal of Request for Review and for Voluntary Dismissal of Charge**

*Anne Warnick v. Green Peace, Incorporated*

ALS No.: 10-0363                      Charge No.: 2010CF0242

The Panel voted to grant the motion. Motion made by Commissioner Enriquez, seconded by Commissioner Simoncini. Motion carried 3-0.

**VI. Petitions for Hearing to Determine Complainant's Damages**

A) *Wayne Phillips v. D. Taylor, Inc. d/b/a McDonald's*

ALS No.: 10-0518                      Charge No.: 2010CF0398

The Panel voted to grant the motion. Motion made by Commissioner Simoncini, seconded by Commissioner Enriquez. Motion carried 3-0.

*B) Agustin Lopez v. KDD of Illinois d/b/a Snappy Car Wash*

ALS No.: 10-0567 Charge No.: 2009CF3921

The Panel voted to grant the motion. Motion made by Commissioner Simoncini, seconded by Commissioner Enriquez. Motion carried 3-0.

*C) Noreen Majewski v. Lexington Health Care Center of LaGrange, LLC*

ALS No.: 10-0568 Charge No.: 2009CF4073

The Panel voted to grant the motion. Motion made by Commissioner Simoncini, seconded by Commissioner Enriquez. Motion carried 3-0.

*D) Tracy Strader v. Driscoll's Bar & Grill, Inc.*

ALS No.: 10-569 Charge No.: 2010CF0395

The Panel voted to grant the motion. Motion made by Commissioner Simoncini, seconded by Commissioner Enriquez. Motion carried 3-0.

**VII. Settlements**

DHR#	Complainant	Respondent
1. 2010CN1934	V. Robertson	Jennifer Gilbertson
2. 2010CA1933	V. Robertson	University of Chicago Hospital
3. 2008CN3074	J. Davis	Day's Adult Care & Personal Care
4. 2010SF1467	D. Reddick, Jr.	McKay/Napa Auto Parts
5. 2010CF2818	M. Fernandez	National Building Resource Group

The Panel approved the settlements in the above-referenced matters, 1-5. Motion made by Commissioner Simoncini, seconded by Commissioner Enriquez. Motion carried 3-0.

**V. Adjournment.**

The meeting was adjourned at 9:35 a.m. Motion made by Commissioner Simoncini, seconded by Commissioner Enriquez. Motion carried 3-0.

Respectfully submitted,

Harriet Parker  
General Counsel